

CHAPTER LXXVII.

AN ACT TO BE ENTITLED AN ACT TO CHANGE THE RULES OF EVIDENCE IN CERTAIN CASES AND SECURE THE POSSESSION OF LANDS.

Preamble.

WHEREAS, Land has been given to persons heretofore slaves, and by reason of their incapacity to hold the same they are under existing laws deprived of their rightful possessions ; therefore

Donations to persons while in slavery.

SECTION 1. *The General Assembly of North Carolina do enact*, That whenever it be made to appear that any gift or conveyance has been made to any person, while a slave, of any lands or tenements, whether the same shall have been conveyed by deed or by parol, and the bargainee or donee has been placed into actual possession of the same, then and in that case such gift or conveyance shall have the force and effect of transferring the legal title to the said lands and tenements to such bargainee or donee: *Provided*, Such possession shall have continued for the term of ten years prior to the passage of this act: *Provided further*, That any absence from the premises from the first day of May, one thousand eight hundred and sixty-one, to the first day of January, one thousand eight hundred and sixty-six, shall not be held as an abandonment or discontinuance of the possession : “ *Provided further*, That this act shall not affect the interest of a *bona fide* purchase for value from the grantor or bargainee of the lands or tenements in dispute.”

Title to be legal.

Proviso.

Term of possession.

What deemed as possession.

Further proviso.

Repealing clause.

SEC. 2. That all laws or clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 9th day of March, A. D. 1870.